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SUBJECT: GERMAN RESPONSE TO 2008 TRAFFICKING IN
PERSONS REPORT

REF: A. HALL-CONWAY EMAIL - 06/19/2008

[1](#)B. BERLIN 750

[1](#)C. BERLIN 240

SUMMARY

[1](#)1. (SBU) On July 1, Emboffs met for a roundtable discussion of the 2008 Trafficking in Persons (TIP) Report with key German officials from the MFA, as well as the Family, Labor and Justice ministries. While the report was well received, a Family Ministry official expressed regret that more attention had not been given to Germany's federal-state interagency working group and to the unique role played by a federally-funded NGO representing all 38 of Germany's anti-TIP NGOs. German officials provided an initial response to the report's recommendations for Germany and briefly reviewed possibilities to strengthen U.S.-German cooperation to combat TIP.

NEW MISSION POINTS OF CONTACT

[1](#)2. (SBU) Mission points of contact for TIP are Global Affairs Officer David L. Fisher (email:fisherdl@state.gov, tel: 49-30-8305-3124) and Legal Advisor Jacqueline Dadswell (email:dadswellj@state.gov, tel: 49-30-8305-2275).

POSITIVE RESPONSE; EXPLANATION OF GERMAN APPROACH WOULD ADD VALUE

[1](#)3. (SBU) German officials from the MFA and the Family, Labor, and Justice ministries responded positively to the 2008 TIP Report, characterizing the report's factual descriptions as accurate. Family Ministry Director for the Protection of Women from Violence Birgit Schweikert said she would have preferred that more attention be given to the German approach to combat TIP, but acknowledged that much of this might have been taken for granted. Specifically, Schweikert pointed to the high quality work of the law enforcement community, prosecutors, and counseling centers. She also noted that the Family Ministry -- particularly through the Federal-State Interagency Working Group on Trafficking -- pursues a highly coordinated and

successful strategy with other Ministries and promotes formal cooperation between counseling centers and law enforcement. Schweikert agreed that one of the TIP Report's primary goals is to call on other countries to recognize their responsibility to combat trafficking. With this in mind, Schweikert said, Germany's approach -- if properly highlighted in future reports -- could serve as a model for other countries that have a federal government.

14. (SBU) Schweikert said the Family Ministry had hoped the TIP report would also highlight the important role of the government-funded Association against Trafficking in Women and Violence against Women in the Migration Process (KOK), an umbrella organization representing the 38 TIP counseling centers and NGOs in Germany. Schweikert stated that such an institution is unique in Europe (and probably throughout the world) and therefore is an example that might serve as a model for other countries. Schweikert also expressed regret that the Federal Government's Second Action Plan to combat violence against women had not been mentioned in the report.

GERMAN RESPONSE TO TIP REPORT RECOMMENDATIONS

15. (SBU) RECOMMENDATION 1 - Explore ways to increase the number of convicted traffickers who

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serve time in prison:

Justice Ministry Director for Criminal Law Perdita Kroeger noted that, within the parameters of Germany's independent judicial system, there are limited possibilities to influence the judiciary. In addition to efforts underway at the National Training Academy for Judges and Prosecutors, the only possibility would be to introduce legislation to raise the minimum sentence for trafficking crimes. Kroeger did not believe such an approach would be successful.

16. (SBU) RECOMMENDATION 2 - Take steps to provide more even distribution of funding for victim services among individual states:

German officials pointed out that some of the states (Laender) have more resources than others and stressed that the Federal Government has little leverage over individual states' decision-making on allocation of funds for victim services, as these funds come directly from state budgets, not the federal budget. The Federal Government does, however, encourage states to devote more resources to combating trafficking in persons. German officials said they were confused by the wording of the recommendation, as it did not make clear that allocation of funding is an autonomous decision made by individual states, not the Federal Government.

17. (SBU) RECOMMENDATION 3 - Improve efforts to identify and combat labour trafficking:

Labor Ministry Desk Officer for European Social Issues Ute Heinen said the Federal Government will play a larger role in combating labor trafficking in the future. Labor Ministry officials hope that federal and state efforts against forced labor will be more visible in the future, as well. At present the Ministry is working to obtain funds for a series of projects

focused on labor trafficking.

18. (SBU) RECOMMENDATION 4: Consider establishing national rapporteurs in key regions around the country:

The Family Ministry's Schweikert noted that rather than exploring the possibility of establishing rapporteurs for key regions in Germany, the Ministry is considering designating a single rapporteur for the entire country. Currently the Ministry has been reviewing and assessing other countries' approaches on national rapporteurs that might serve as a model for a German institution. The Ministry's preliminary conclusion is that the Dutch Rapporteur is the only institution to date that has produced consistently high quality and effective work. The Dutch rapporteur collects and assesses relevant data and reports to the Dutch parliament on an annual basis.

STRENGTHENING U.S.-GERMAN COOPERATION

19. (SBU) Finally the discussion turned to potential ways to strengthen bilateral cooperation in the international fight against TIP. Emboffs reviewed the range of ideas provided by G/TIP (ref A), including possible visits by USDOJ officials, as well as ICITAP and OPDAT trainers. Emboffs also noted the possibility to arrange DVCs, which have the advantage of being less expensive and which can be conducted more frequently. German officials seemed most interested in a further exchange of best practices on victim identification techniques and efforts to fight labor trafficking. German officials said they would

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continue to discuss the matter internally and at a meeting of the Federal-State Interagency Working Group on Trafficking in October. Post will follow-up with German contacts and coordinate with G/TIP via email.

TIMKEN JR.